7: International Bank N, S-4 (1951) 1952 MH1 Iraq MH1

453 ID 50,507 and no arrangements for repayment had been made by the end of the year on loans amounting to ID 120,934. A sum of ID 53,303 was received on loans which had fallen due in 1948-49, but in that year the total loans for which due dates were postponed or for which no repayment arrangements were made aggregated ID 98,983. Although the Bank claims it will ultimately be able to collect on all its loans, there appears to be a need for much stricter and prompter collection and perhaps also for more careful scrutiny of loan applications to make sure that they are intended for productive purposes. The Bank must be quite free of any political pressures and capable of granting and collecting loans without fear or favor.

426 453 One of the most difficult problems is the provision of credit to the sharecropping fellah. Under present conditions he cannot get a loan from the Bank because he is unable to offer adequate security. The Bank generally makes loans only on the security of mortgages, although it can also accept as security tangible, nonperishable, movable property other than crops in the field or stored on the farm. To some extent it also grants loans on the guarantee of the government or on the joint guarantee of a number of recipients. Of the loans outstanding on March 31, 1950, ID 538,752 were secured by immovable property, ID 18,634 by joint guarantee and ID 9,601 by government guarantee. The fellah must turn to the landlord or some private moneylender for credit. Under the Law Governing the Rights and Duties of Cultivators enacted in 1933 any advances made by the landlord are in theory free of interest. Actually, however, the "advance" is generally in kind—i.e. in seed, draft animals, machinery, etc.—and the return to the landlord is in the form of a larger share of the crop which conceals a very heavy interest charge. One of the prime needs is to give the fellah access to better means of production and on much more reasonable terms. The organization of cooperatives among the fellahin would seem to be the best means of accomplishing this, since the Agricultural Bank is authorized to lend to cooperatives on the joint guarantee of its members.

tribal organization there was no clear definition of individual rights of ownership to the collectively-owned land. It was a system which could exist as long as no one thought about it; as long, that is, as the tribe was accepted as the unit of political life, and as long as no individual claims were likely to be made. It is for this reason that it is impossible, once the tribal system has ceased to be the political unit, to settle land on a tribal basis; and yet to settle land on the basis of the supposed individual claims creates grave injustice, because in practice it means that too much land is allotted to the sheikhs and that the cultivators are reduced to the position of tenants or labourers.

Since the early years of the twentieth century the tribal system has been breaking up, and the economic development of the country in the twenty years between the wars has hastened its disintegration. When water transport came to the Persian Gulf towards the end of the nineteenth century, export markets opened for Iraq grain; the subsistence economy broke down and production for export began. Exports of grain increased from 65,000 tons in the early eighteen-nineties to 120,000 tons in 1909–13, and to 380,000 tons in 1934–9. The profitability of export has given the tribal chiefs a motive for acquiring land as their personal property.

The tendency to acquire land for the sake of money income was much strengthened, in the twenty years between the two wars, by the rapid extension of pump irrigation and the accompanying increase in the cultivated area. Pump installations have increased from 143 in 1921 to 3,000 in 1944, and provide water for some 2½ million acres of land, or over half the cultivated land in the irrigated zone. The installation of a pumping system is comparatively cheap, costing some £2,000 before the recent war, but it is far beyond the means of the peasants, so that pumps have been installed by sheikhs, or more frequently by city notables, who make contracts to supply them to peasants at extortionate rates of interest, and so gradually acquire the land in payment of debt. In many cases the sub-chiefs, or sirkals, have become pump owners.

Thus in the regions of pump irrigation the tribal system has entirely ceased to function. The land is mainly the property of the pump owners, with the cultivators taking a meagre share of the crop, varying from one-seventh to one-fourteenth or one-

25: Warriner S-5 (no date) 1948 MI Middle East
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over larger areas, much as the pump owners are doing on the Lower Tigris.

But in the north-eastern rain-fed zone, Kirkuk, Erbil, and Sulaimaniya, the position of the cultivator is better. There is a settled system of cultivation and a large part of the land is held by small proprietors. In the plain lands of Kirkuk and Erbil as much as 75 per cent of the land is held by small cultivators with holdings up to 200 dunums. Here the method of cultivation is much the same as in Syria, a *daim* (i.e. dry) crop being taken every two years.

Here too the legal position is different. In this part of the country, the provisions of the Ottoman Land Code remained in force, and most of the land was registered in Turkish times. Frequently the *agha* (or *mukhtar*), who was originally the patriarchal head of the village with the duty of maintaining order, has used his position to acquire land, and registered the land of the village under his own name. This has happened particularly often in the Kurd villages, where in spite of the Land Code's explicit prohibition of granting an entire village in the name of one person, the Turkish authorities, for the sake of peace, registered whole groups of villages in the names of the notables of Mosul, Erbil, Kirkuk, and Sulaimaniya.

But even though the landlords have obtained title to land, the share paid to them is much less than in the south, and amounts to only 10–20 per cent of the product.

Thus the problem of reforming tenure is here much less acute. As in Syria, peasant indebtedness is the major problem, but in the course of the recent war the high prices of grain have enabled the majority of the peasants to wipe off the burden of debt.

In the high mountain regions, however, particularly in the Zibar district, there is acute agricultural distress; a series of bad harvests due to plant disease, insect pests, and insecurity, has caused the agricultural economy to go steeply downhill in the past few years.

Settlement of Title. During the nineteenth century, the Ottoman Government attempted to settle title to land under the Land Code, as it did in the rest of the Turkish Empire. The Code was extended to Iraq under Midhat Pasha with the object of registering occupiers of land and thereby granting them

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427 Out of this 40 per cent the fellah must also pay a rent for the upkeep of the canals which irrigate the holding; this may amount to 20–45 per cent of his share.

426 At the beginning of the season the fellah receives in advance from the employer:

	Dinars
300 kg wheat	1.800
150 kg barley	.525
Cash in 3 instalments	3.750
	6.075
Seasonal interest 30 per cent	1.800
TOTAL	7.875

1 Dinar = £1 sterling

He is not as a rule able to repay the loans from the sale of the produce, and so gets deeper and deeper into debt to the landowner. Thus there has evolved a particular kind of debt-serfdom: a landowner who needs labour from one estate can pay an advance to a whole village or several villages, and so obtain 'the right to demand the transference of the land workers thus "freed" from their debts to his lands.'[1]

651 Changes in taxation have also benefited the big landowners. To promote the expansion of pump irrigation, land irrigated with pumps was partially exempted from taxation. The reform of taxation under the Istihlak law of 1931 has also operated mainly to the advantage of the large landowners.[2]

427 Thus the former tribesman in Iraq has been reduced to the position of a serf-tenant, who is entangled in crushing indebtedness, and so is tied to the holding which he cultivates.

422 In spite of the wise recommendations of Sir Ernest Dowson's
427 report, and the advisory efforts of British officials to improve
185 the security of the small cultivator, it cannot be said that land settlement has succeeded in removing the oppressive character of the land system. Nor has any reform been made to permit the development of State land.

423 As regards water-rights, there is the same situation as in
185 Palestine and Transjordan; attempts at legislation have been frustrated by local interests, and here the need for legislation is

[1] ibid., p. 55.
[2] See P. W. Ireland, *Iraq, A Study in Political Development* (London, Jonathan Cape, 1937), pp. 440–1.